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OFFICE OF PETITIONS

In re Application of :
Zheng et al. :
Application No.: 10/767298 :
Filing or 371(c) Date: 01/28/2004 : **DECISION**
Attorney Docket Number: 108298714US : **ON PETITION**

This is a decision in response to the "Petition to Withdraw Holding of Abandonment Based on Failure to Receive Office Action," filed April 3, 2006. The petition is properly treated under 37 CFR §1.181(a). The delay in treating this petition is regretted.

The petition is **granted**

The above-identified application became abandoned for failure to timely/properly reply to the Notice of Allowance and Issue Fee Due, mailed October 31, 2006. The Notice set a non-extendable three (3) month period for reply. No response having been received, the application became abandoned on February 1, 2006. A Notice of Abandonment was mailed March 28, 2006.


With the present petition, Applicant has demonstrated non-receipt of the Notice by a preponderance of the evidence.

In view of the foregoing, the petition is **granted**. The holding of abandonment is hereby withdrawn.

No petition fee has been charged and none is due.

The application will be referred to Technology Center Art Unit 2891 for re-mailing of the Notice of Allowance and Issue Fee Due and Notice of Allowability.

Telephone inquiries concerning this matter should be directed to the undersigned at (571) 272-3232.


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Office of Petitions